

UNION PACIFIC RAILROAD  
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Chicago, Illinois 60608-1718

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[mackshumate@up.com](mailto:mackshumate@up.com)

Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

December 13, 2011

**VIA E-FILE**

The Honorable Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E. Street, S.W., Room #100  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings

DEC 13 2011

Part of  
Public Record

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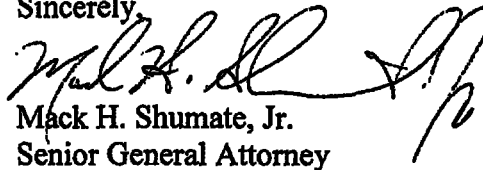
**Re: Abandonment and Discontinuance of a Portion of the Lockport Branch in  
Lafourche Parish, LA – STB Docket Nos. AB-318 (Sub-No. 7X) and AB-33  
(Sub-No. 277X)**

Dear Ms. Brown:

Attached hereto are two (2) letters the Union Pacific Railroad Company ("UP") received in response to the filing of the Combined Environmental Historic Report in the above-referenced abandonment. The first letter is a response dated October 25, 2011 by the acting supervisor of the Louisiana Field Office of the U.S. Fish and Wildlife Service. The letter indicates that the abandonment project has been reviewed for effects to Federal trust resources under the jurisdiction of the U.S. Fish and Wildlife Service and that the determination was made that the project will have no effect on those resources.

The second letter dated October 12, 2011 from the State of Louisiana's Department of Natural Resources, Office of Coastal Management states that it has been determined that the abandonment falls outside the Coastal Zone and has no significant effects on the Coastal Zone. Therefore, the project requires no formal consistency review and the Department has no objection to the project.

Sincerely,

  
Mack H. Shumate, Jr.  
Senior General Attorney

Attachment

cc: U.S. Fish & Wildlife Services  
State of Louisiana, Department of Natural Resources

2011\_12\_13\33-277X\STB Agency Responses to CEHR.doc



BOBBY JINDAL  
GOVERNOR



SCOTT A. ANGELLE  
SECRETARY

**State of Louisiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**OFFICE OF COASTAL MANAGEMENT**

October 12, 2011

Union Pacific Railroad Company  
Mack H. Shumate, Jr.  
Senior General Attorney  
101 North Wacker Drive, #1920  
Chicago, Illinois 60606

Louisiana & Delta Railroad, Inc.  
Eric M. Hocky  
Thorp Reed & Armstrong, LLP  
One Commerce Square  
2005 Market St., Suite 1910  
Philadelphia, PA 19103

RE: **C20110448, Coastal Zone Consistency**  
**Union Pacific Railroad and Louisiana & Delta Railroad, Inc.**  
**Federal License or Permit – Surface Transportation Board**  
**Abandonment of 12.5 miles of railroad track near Raceland, STB Docket No. AB-318 (Sub-**  
**No. 7X) Lafourche Parish, Louisiana**

Dear Sirs:

The above referenced project has been reviewed for consistency with the Louisiana Coastal Resources Program as required in Section 307 (c) of the Coastal Zone Management Act of 1972, as amended. It has been determined that the captioned project falls outside the Coastal Zone and has no significant effects on the Coastal Zone. The project, therefore, requires no formal consistency review and this Department has no objection. It should be noted that another project in the same area may be deemed to impact the Coastal Zone and require consistency review. For this reason we request that you continue to submit applications to this Department for any other projects in the area. If you have any questions concerning this determination please contact Brian Marcks of the Consistency Section at (225) 342-7939 or 1-800-267-4019.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Lovell".

Keith Lovell  
Administrator  
Interagency Affairs/Field Services Division

KOL/JDH/bgm

**RECEIVED**

OCT 18 2011

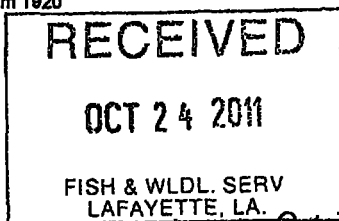
**LAW DEPARTMENT**  
**UNION PACIFIC RR CO.**

cc: David Butler, LDWF  
Environmental Analysis Section, Surface Transportation Board

Post Office Box 44487 • Baton Rouge, Louisiana 70804-4487  
617 North Third Street • 10th Floor • Suite 1078 • Baton Rouge, Louisiana 70802  
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Mack H. Shumate, Jr. Sr General Attorney, Law Department

VIA E-FILE

TO: SEE ATTACHED SERVICE LIST

October 4, 2011

This project has been reviewed for effects to Federal trust resources under our jurisdiction and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed, ( ) Will have no effect on those resources ( ) is not likely to adversely affect those resources. This finding fulfills the requirements under Section 7(a)(2) of the Act.

*Dulrah A. Sullia*  
Acting Supervisor  
Louisiana Field Office  
U.S. Fish and Wildlife Service

Oct 25, 2011  
Date

Re: Abandonment and Discontinuance of a Portion of the Lockport Branch in Lafourche Parish, LA – STB Docket Nos. AB-318 (Sub-No. 7X) and AB-33 (Sub-No. 277X)

To whom it may concern:

On or after October 25, 2011, Union Pacific Railroad Company ("UP") and Louisiana Delta Railroad, Inc. ("LDRR") expect to be filing with the Surface Transportation Board ("STB" or "Board") a Notice of Exemption seeking authority to abandon and discontinue service over, respectively, the line of railroad from Milepost 1.7 near Raceland to Milepost 14.2, near Jay, a distance of 12.5 miles, located in Lafourche Parish, Louisiana (collectively the "Line"). Attached is a Combined Environmental and Historic Report ("EHR") which describes the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Because it has been over two (2) years since the original EHR was served on you on April 7, 2009, UP and LDRR are again providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA) at the following address, and refer to the above-referenced Docket Number:

Surface Transportation Board  
Section of Environmental Analysis (SEA)  
395 East Street, S.W., Room #100  
Washington, DC 20423-0001  
Telephone No.: (202) 927-6211

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within three (3) weeks.

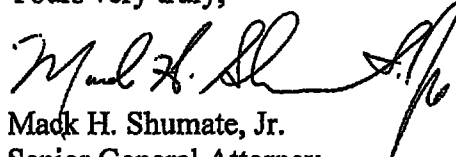


October 4, 2011

Page 2

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. UP's representative in this matter is Mack H. Shumate, Jr., who may be contacted by telephone at (312) 777-2055 or by mail at 101 North Wacker Drive, Room 1920, Chicago, IL 60606 and LDRR's representative in this matter is Eric M. Hockey, who may be contacted by telephone at (215) 640-8500 or via U.S. Mail at One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103.

Yours very truly,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", followed by a stylized flourish.

Mack H. Shumate, Jr.  
Senior General Attorney

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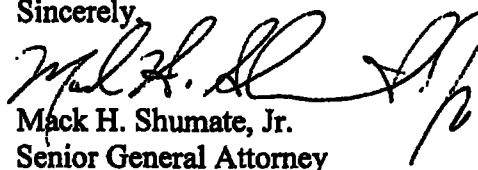
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Senior General Attorney

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cc: U.S. Fish & Wildlife Services  
State of Louisiana, Department of Natural Resources

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GOVERNOR



**SCOTT A. ANGELLE**  
SECRETARY

**State of Louisiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**OFFICE OF COASTAL MANAGEMENT**

October 12, 2011

Union Pacific Railroad Company  
Mack H. Shumate, Jr.  
Senior General Attorney  
101 North Wacker Drive, #1920  
Chicago, Illinois 60606

Louisiana & Delta Railroad, Inc.  
Eric M. Hocky  
Thorp Reed & Armstrong, LLP  
One Commerce Square  
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Sincerely,

*Keith Lovell*

Keith Lovell  
Administrator  
Interagency Affairs/Field Services Division

KOL/JDH/bgm

cc: David Butler, LDWF  
Environmental Analysis Section, Surface Transportation Board

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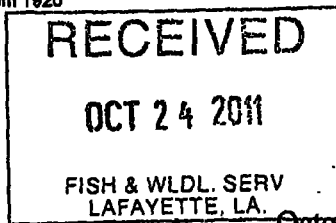
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**UNION PACIFIC RR CO.**

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mackshumate@up.com

Mack H. Shumate, Jr. Sr General Attorney, Law Department



October 4, 2011

This project has been reviewed for effects to Federal trust resources under our jurisdiction and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed,  
(X) Will have no effect on those resources  
( ) Is not likely to adversely affect those resources.  
This finding fulfills the requirements under Section 7(e)(2) of the Act.

VIA E-FILE

TO: SEE ATTACHED SERVICE LIST

*Debra A. Fuller*  
Acting Supervisor  
Louisiana Field Office  
U.S. Fish and Wildlife Service

*Oct 25, 2011*  
Date

**Re: Abandonment and Discontinuance of a Portion of the Lockport Branch in Lafourche Parish, LA – STB Docket Nos. AB-318 (Sub-No. 7X) and AB-33 (Sub-No. 277X)**

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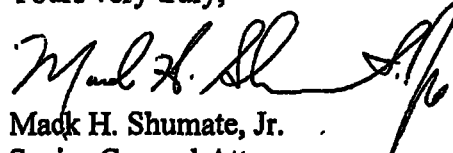
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October 4, 2011

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Senior General Attorney